

## REMARKS

In the above-referenced case, claims 1-6 and 8-41 are pending. Claim 7 is canceled.

### I. The 35 U.S.C. §112 Rejections

Claims 1-41 were rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite. Independent claims 1, 27, 32, 33, and 38 have been amended to refer to their respective preambles. Thus, these rejections are now moot.

### II. The 35 U.S.C. §102 Rejections

Claims 1-2, 4-5, 7, 10-11, 18, 21-23, 25-28, 32-35, 38, and 41 were rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Koritzinsky et al., U.S. Patent No. 6,988,074 (“KORITZINSKY”).

#### A. Independent Claims 1, 27, 32, 33, and 38

Independent claims 1, 27, 32, 33 and 38 have been amended to explicitly recite establishing an interactive communication between the user at the printer and the remote location during the same communication session as the submission of the request for assistance. This limitation has support on at least page 13 (e.g., steps 340 and 360) of the Specification.<sup>1</sup>

In rejecting claim 7, the Examiner cited Figure 6, Item 190, col. 14, lines 47-51, and col. 16, lines 46-53, of KORITZINSKY as allegedly disclosing an interactive communication between the user and the remote location.

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<sup>1</sup> The embodiments disclosed in the Specification are merely exemplary. Thus, the claims should not be limited to the exemplary embodiments disclosed.

The cited portion of KORITZINSKY discloses sending a request acknowledgment signal from the service facility to the diagnostic system server after receiving a request at the service facility from the diagnostic system. See, for example, KORITZINSKY, col. 16, lines 44-50. The acknowledgement signal provides feedback to the diagnostic system operator on the status of the service request. KORITZINSKY, col. 16, lines 50-53. This cited portion of KORITZINSKY does not disclose or suggest establishing an interactive communication between an operator of the diagnostic system and the service facility. A feedback signal, sent from one system to another system, indicating the status of a request is not an interactive communication. An interactive communication involves a two-way active communication<sup>2</sup>. In KORITZINSKY, after sending the service request, the diagnostic system passively receives an acknowledgement signal. Thus, the cited portion of KORITZINSKY does not disclose or suggest enabling the operators of the diagnostic system to interact with the service facility.

Col. 17 of KORITZINSKY discloses that after receiving the service request from the diagnostic system, a service facility engineer may “recontact” the diagnostic system to obtain additional data.<sup>3</sup> In other words, KORITZINSKY discloses that the service facility may recontact the diagnostic system after receiving the service request from the diagnostic system but not during the same communication session as the receipt of the service request.

In contrast, the amended independent claims in the present case recite establishing an interactive communication between the user at the printer and the remote support

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<sup>2</sup> The Meriam-Webster dictionary defines “interactive” as being “mutually or reciprocally active.”

<sup>3</sup> “However, where voluminous files are needed, or where files are identified by the service facility or by a service engineer subsequent to receipt of the request, the diagnostic system may be recontacted by the service facility as indicated at step 296 to locate and transmit the needed data.” KORITZINSKY, col. 17, lines 58-63.

“The steps involved in recontacting the medical diagnostic system and transmitting the needed data files may require prompting of operations personnel for the input of specific information, or may be essentially transparent to the diagnostic systems operations personnel.” KORITZINSKY, col. 17, line 64 – col. 18, line 2.

center during the same communication session as the submission of the assistance request. Based on the foregoing, these independent claims (and their respective dependent claims) should now be in condition for allowance.

III. The 35 U.S.C. §103 Rejections

Dependent claims 3, 6, 8, 9, 12, 13, 14-16, 29, 30, 31, 36, 37, 39, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over KORITZINSKY and various other references in different combinations. Based on the foregoing arguments regarding the respective independent claims to these dependent claims, these dependent claims are also in condition for allowance.

IV. Previous Claim Amendments and Arguments

The Examiner was not persuaded by Applicant's claim amendments and arguments with regard to the 102 (and 103) rejections in the response previously filed on August 7, 2006. Applicant hereby expressly retracts those amendments and arguments in their entirety.<sup>4</sup>

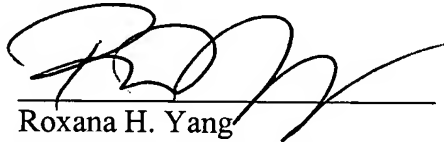
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<sup>4</sup> Such retracted claim amendments and arguments should, therefore, not form the basis for any claim construction or prosecution history estoppel.

V. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

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